

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

-against-

PHILIP MORRIS, INC., et al.,

Defendants.

99 Civ No. 2496 (GK)  
Next Court Appearance:  
May 17, 2002

**RESPONSES AND OBJECTIONS OF BRITISH AMERICAN TOBACCO  
(INVESTMENTS) LIMITED TO PLAINTIFF'S FIRST REQUESTS FOR  
ADMISSION TO ALL DEFENDANTS, AMENDED PURSUANT TO ORDER #119**

Defendant British American Tobacco (Investments) Limited ("BATCo"),  
hereby responds and objects to plaintiff's First Requests for Admissions to All  
Defendants, Amended Pursuant to Order #119 ("Requests") as follows:

**GENERAL OBJECTIONS**

1. BATCo objects to each and every Request on the grounds set forth below. These objections form a part of the response to each and every Request and are set forth herein to avoid duplication and repetition by restating them for each Request. These General Objections may be specifically referred to for the purposes of clarity in

**REQUEST FOR ADMISSION NO. 259:**

Admit that, since at least 1978, you, in conjunction with other tobacco companies, have tried to discredit the belief that ETS has an adverse health effect on non-smokers to protect your financial interests.

**RESPONSE TO REQUEST FOR ADMISSION NO. 259:**

BATCo incorporates General Objections Nos. 10, 15 and 20 in response to this Request. BATCo further objects to this Request on the ground that it is argumentative. Subject to and without waiving its objections, BATCo denies this Request.

**DESTRUCTION OF DOCUMENTS****REQUEST FOR ADMISSION NO. 260:**

Admit that at some point from 1954 to the present, you have destroyed, caused to be destroyed, or were aware of the destruction of documents because the documents would have been adverse to you if they had been produced in discovery during smoking and health litigation or otherwise.

**RESPONSE TO REQUEST FOR ADMISSION NO. 260:**

BATCo incorporates General Objections Nos. 10 and 20 in response to this Request. BATCo further objects to this Request on the grounds that the phrases "or

were aware of" and "or otherwise" are vague, ambiguous and unintelligible as used in this Request. Subject to and without waiving its objections, BATCo denies this Request.

**REQUEST FOR ADMISSION NO. 261:**

Admit that, at some point from 1954 to the present, you have transferred documents to an attorney, or caused documents to be so transferred, in order to shield the documents from production in discovery.

**RESPONSE TO REQUEST FOR ADMISSION NO. 261:**

BATCo incorporates General Objections Nos. 3 and 20 in response to this Request. BATCo further objects to this Request on the grounds that the terms "transferred" and "caused documents to be so transferred" are vague, ambiguous and unintelligible as used in this Request. Subject to and without waiving its objections, and to the extent that the Request can be understood, BATCo denies this Request.

**OTHER**

**REQUEST FOR ADMISSION NO. 270:**

Admit that in 1992 and/or 1993 your attorneys advised witnesses to testify to the industry's "party line . . . that there [was] no scientific evidence" that smoking is addictive or that smoking causes cancer.